

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ROGER WILLIAMS,)	
)	
Plaintiff,)	7:05CV5018
)	
v.)	
)	
SCOTTS BLUFF, COUNTY OF, and)	MEMORANDUM AND ORDER
JASON PERKINS,)	
)	
Defendants.)	
_____)	

The plaintiff has filed a response to the defendants' motion for summary judgment. See filing 34. The plaintiff's evidence in response to the motion, totaling 112 pages and including a 95-page trial transcript, is attached his brief. Pursuant to Nebraska Civil Rule 7.1(b)(2)(B):

The filing of evidence in opposition to a motion shall be governed by Administrative Procedure IV.B. Evidentiary materials shall not be attached to the brief but shall instead be filed separately with an index listing each item of evidence being filed and identifying the motion to which it relates.

The court further notes that the plaintiff's brief cites to only 5 pages of the 95-page trial transcript attached to the brief. Administrative Procedure IV.B. states, "A filer must submit as exhibits or attachments only those excerpts of the referenced documents that are directly germane to the matter under consideration by the court."

IT THEREFORE HEREBY IS ORDERED:

1. The attachment to the plaintiff's filing 34 brief, that being the plaintiff's evidence index and its attachments, is stricken.

2. The plaintiff is given until March 31, 2006 to file his evidence opposing the motion for summary judgment in accordance with this court's local rules and administrative procedures.
3. The deadline for defendant's reply brief, if any, is extended to April 6, 2006.

DATED this 27th day of March, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge